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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,867	09/22/2003	Eduard K. de Jong	SUN-040105	2666

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EXAMINER	
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ART UNIT	**PAPER NUMBER**
2137	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/668,867	DE JONG, EDUARD K.	
	Examiner	Art Unit	
	Ali S. Abyaneh	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 June 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-58* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-58* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *22 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/2/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-58 are pending.

2. Claims 1, 10, 19, 28, 35, 38, 41, 44, 47, 50 and 53 are amended.

3. Figs. 15, 16 and 51 are amended.

4. In the specification, paragraphs [0002], [0011] and [0021] are amended.

Response to Arguments

5. Applicant's arguments filed 06-04-2007 have been fully considered but they are not persuasive.

In page 24 of the Remarks Applicant argues, "[e]ach of Claims 1, 10, 19 and 28 recites that user device is used with respect to the first four elements. Madison, as cited in the rejection, teaches away from such a user device by using a combination of servers". Examiner respectfully disagrees.

Madison teaches a user device sending a request for digital content to a content provisioner (paragraph [008]), receiving authenticated digital content request (paragraph [009]), sending the authenticated digital content request to a content repository and receiving encrypted digital content (paragraph [0010).

In page 25 Applicant argues, "[p]aragraphs [0040] to [0042] of Peterka describe actions taken by a content provider to obtain keys from a key store service. [t]he keys are used to encrypt material. Peterka makes it clear that the viewer does generate keys..". Examiner respectfully disagrees.

Peterka clearly teaches that key store service could be located at different sites. In Peterka the location of generated keys depends on where the keystore is located, therefore in Peterka keys could be generated at different location (paragraph [0042]).

In view of above discussion examiner maintains the rejection as follows:

Information Disclosure Statement PTO-1449

6. The Information Disclosure Statement submitted by applicant on 08-02-2007 has been considered. Please see attached PTO-1449.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) patent may not be obtained though the invention is not identically disclose or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-4, 6-13, 15-22, 24-29, 35, 38, 41, 44, 47, 50 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madison et al. (US Publication NO 2004/0015703), in view of Peterka et al. (US Publication NO 2003/0140257).

Regarding claim 1, 10, 19 and 28

Madison teaches a method for digital content access control, comprising: sending, by a user device to a content provisioner, a digital content request comprising a request for digital content (paragraph [0040]); receiving, from said

content provisioner by said user device, an authenticated digital content request in response to said sending said digital content request (paragraph [0055]); sending, by said user device, said authenticated digital content request including one or more delivery parameters to a content repository that provides storage for said digital content, said one or more delivery parameters identifying a target device to receive digital content referenced by said authenticated digital content request; receiving, from sad content repository by said user device, encrypted digital content in response to said sending said authenticated digital content request (paragraph [0033]-[0035]).

Madison does not explicitly teach, sending, by said user device, said encrypted digital content to said target device, said target device for decrypting said encrypted digital content to create decrypted digital content and for rendering said decrypted digital content on said target device. However, in an analogous art, Peterka teaches sending, by said user device, said encrypted digital content to said target device, said target device for decrypting said encrypted digital content to create decrypted digital content and for rendering said decrypted digital content on said target device (column [0071]-[0072]).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Madison to include sending, by said user device, said encrypted digital content to said target device, said target device for decrypting said encrypted digital content to create decrypted digital content and for rendering said decrypted digital content on said target device.

This would have been obvious because person having ordinary skill in the art at the time the invention was made would have been motivated to do so in order to transmit content and to manage transmission of the content from a content provider to a caching server and then from the caching server to a viewer (paragraph [0015]).

Regarding claim 35, 38, 41, 44, 47, 50 and 53

Madison teaches a method for digital content access control, comprising: receiving, by a target device, a token comprising a cryptogram based at least in part on an identifier that describes the location of said digital content (paragraph [0027]).

Madison does not explicitly teach preparing, on said target device, a session key, said preparing comprising applying a cryptographic process to a key based at least in part on said token together with a target key to create said session key, said target key based at least in part on a master key and a target ID, said target ID identifying a target device; receiving, on said target device, encrypted digital content; decrypting, on said target device, said encrypted digital content using said session key to create decrypted digital content; and rendering , on said target device, said decrypted digital content. However, in an analogous art, Peterka teaches preparing, on said target device, a session key, said preparing comprising applying a cryptographic process to a key based at least in part on said token together with a target key to create said session key, said

target key based at least in part on a master key and a target ID, said target ID identifying a target device (paragraph [0040]-[0042]); receiving, on said target device, encrypted digital content; decrypting, on said target device, said encrypted digital content using said session key to create decrypted digital content; and rendering , on said target device, said decrypted digital content (paragraph [0035]).

Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Madison to include preparing, on said target device, a session key, said preparing comprising applying a cryptographic process to a key based at least in part on said token together with a target key to create said session key, said target key based at least in part on a master key and a target ID, said target ID identifying a target device; receiving, on said target device, encrypted digital content; decrypting , on said target device, said encrypted digital content using said session key to create decrypted digital content; and rendering , on said target device, said decrypted digital content.. This would have been obvious because person having ordinary skill in the art at the time the invention was made would have been motivated to do so in order to transmit content and to manage transmission of the content from a content provider to a caching server and then from the caching server to a viewer (paragraph [0015]).

Regarding claim 2-4, 11-13 and 20-22

Madison and Peterka teach all limitation of the claim as applied to claim 1, 10 and 19 above. Madison furthermore teaches, said digital content request comprises a Universal Resource Locator (URL); and said authenticated digital content request comprises a tokenized URL; wherein said tokenized URL further comprises a token comprising a cryptogram based at least in part on an identifier that describes the location of said digital content; and sending said token to said target device (paragraph [0036], [0037].

Regarding claim 6, 15 and 24

Madison and Peterka teach all limitation of the claim as applied to claim 1, 10 and 19 above. Madison furthermore teaches a method wherein said one or more delivery parameters comprises a serial number uniquely identifying said target device (paragraph [0040]).

Regarding claim 7-9, 16-18 and 25- 27

Madison and Peterka teach all limitation of the claim as applied to claim 1,10 and 19 above. Peterka furthermore teaches a method wherein said one or more delivery parameters comprises a master key indicator for use in decrypting an encrypted form of said digital content; wherein said one or more delivery parameters comprises a key derivation process indicator for use in deriving a cryptographic key for decrypting an encrypted form of said digital content; and

said one or more delivery parameters comprises a cryptographic process indicator that specifies a cryptographic process supported by said target device (paragraph [0049]-0053]).

Regarding claim 29

Madison and Peterka teach all limitation of the claim as applied to claim 28 above. Madison furthermore teaches an apparatus wherein said processor is further configured to receive said digital content in response to said authenticated digital content request (paragraph [0060]).

9. Claims 5, 14, 23, 37, 40, 43, 46, 49 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madison et al. (US Publication NO 2004/0015703), in view of Peterka et al. (US Publication NO 2003/0140257) further in view of Arias et al. (US Publication NO 2002/0072413).

Regarding claim 5, 14, 23, 37, 40, 43, 46, 49 and 52

Madison and Peterka teach all limitation of the claim as applied to claim 3, 12, 22, 35, 38, 44, 47 and 50 above. Madison and Peterka do not explicitly teach token is from a token pool associated with the location of digital content for which access is authorized. However, in an analogous art, Arias teaches token is from a token pool associated with the location of digital content for which access is authorized (paragraph 0026]). Therefore it would have been obvious to one

having ordinary skill in the art at the time the invention was made to modify Madison and Peterka to include token from a token pool associated with the location of digital content for which access is authorized. This would have been obvious because person having ordinary skill in the art at the time the invention was made would have been motivated to do so in order to provide a unique and flexible methodology and structure for obtaining and enjoying collectible items (paragraph [0005]).

10. Claims 30-34, 36, 39, 42, 45, 48, 51 and 54-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madison et al. (US Publication NO 2004/0015703), in view of Peterka et al. (US Publication NO 2003/0140257) further in view of Mukerjee et al. (US Publication NO 2003/0073440).

Regarding claim 30, 36, 39, 42, 45, 48, 51 and 54

Madison and Peterka teach all limitation of the claim as applied to claim 28, 35, 38, 41, 44, 47, 50 and 53 above. Madison and Peterka do not explicitly teach wherein said apparatus comprises a smart card. However, in an analogous art, Mukerjee teaches an apparatus comprises a smart card (paragraph [0054]). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Madison and Peterka to include an apparatus comprises a smart card. This would have been obvious because person having ordinary skill in the art at the time the invention was made would

have been motivated to do so since smart card are well known and widely used in the art.

Regarding claim 31-34 and 55- 58

Madison, Peterka and Mukerjee teach all limitation of the claim as applied to claim 30 and 54 above. Mukerjee furthermore teaches, wherein said smart card comprises a Java Card.TM. technology-enabled smart card; wherein said smart card comprises a CDMA (Code Division Multiple Access) technology-enabled smart card; wherein said smart card comprises a SIM (Subscriber Identity Module) card; and wherein said smart card comprises a WIM (Wireless Interface Module) (paragraph [0054]-[0060).

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

AA

Ali Abyaneh
Patent Examiner
Art Unit 2137
8/8/07

EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER